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ORDER IN COUNCIL

Has been referred to

H. R. M. LITTLE

of the Department of the Interior, and Secretary of the

Department of the Interior



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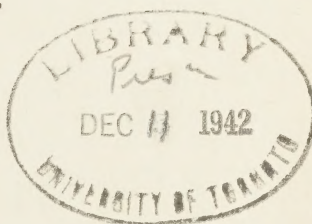


Copy of Proposed
ORDER IN COUNCIL

Recommended by

Mr. E. M. LITTLE

Former Director of National Selective Service



OTTAWA
EDMOND CLOUTIER
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1942

To His Excellency the Governor General in Council:


The undersigned has the honour to report that, by reason of the war, it is necessary for the security, defence, peace, order and welfare of Canada and for the efficient prosecution of the war, to amend and consolidate the various orders and regulations affecting manpower.

The undersigned therefore has the honour to recommend that, by and pursuant to the War Measures Act and the National Resources Mobilization Act, 1940, the regulations attached hereto be made.

HUMPHREY MITCHELL,
Minister of Labour.

CONTENTS

SHORT TITLE.....	PAGE
INTERPRETATION.....	5
PART I—GENERAL.....	7
PART II—CIVILIAN EMPLOYMENT.....	8
Interpretation.....	8
Supply and Demand.....	9
Separation from Employment.....	9
Control of Employment.....	10
Agricultural Employment.....	11
Advertisements.....	12
Compulsory Employment.....	12
Employment Changes.....	13
Supplementary Allowances.....	13
Reinstatement.....	14
Appeals.....	14
PART III—TECHNICAL PERSONNEL.....	15
Interpretation.....	15
Supply and Demand.....	15
Control of Employment.....	15
Employment Changes.....	15
Reinstatement.....	16
PART IV—COMPULSORY MILITARY SERVICE.....	17
Interpretation.....	17
Liability to Report for Military Training.....	17
Procedure.....	18
Agricultural Workers.....	20
Policemen, Firemen, Wardens and Theological Students.....	20
Doukhobors, Mennonites and Conscientious Objectors.....	20
Royal Canadian Mounted Police.....	21
Alternative Service, Duty or Work.....	21
Medical Examination.....	23
Transportation and Subsistence.....	23
PART V—EXIT PERMITS.....	25
PART VI—ADMINISTRATION.....	27
Selective Service Department.....	27
Director's Powers.....	28
Investigations.....	30
Boards.....	32
Determination of Questions.....	34
General.....	34
PART VII—ENFORCEMENT.....	37
PART VIII—MISCELLANEOUS.....	42



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THE MANPOWER REGULATIONS, 1942

SHORT TITLE

1. These regulations may be cited as The Manpower Regulations, 1942.

INTERPRETATION

2. (1) In these regulations, unless the context otherwise requires:—
 - (a) "advertisement" includes any notice, announcement or information;
 - (b) "agriculture" means the production on a farm of field crops, fruits, vegetables, honey, poultry, eggs, live stock, milk, butter or cheese;
 - (c) "alternative service, duty or work" means any work or project prescribed by the Director in lieu of military training, to be performed by men to whom postponement orders have been granted on the ground that they are Mennonites, Doukhobors or conscientious objectors;
 - (d) "Assistant Director" means an Assistant Director of National Selective Service appointed under these regulations;
 - (e) "Associate Director" means an Associate Director of National Selective Service appointed under these regulations;
 - (f) "Board" means a Draft Board established under these regulations and, with reference to any man, means the Board established for the Division in which he resides;
 - (g) "dependent", when used with respect to any person, means some other person dependent for support on the income earned by such person in a business, occupation or employment;
 - (h) "designated" when used with reference to any age class or part of an age class means that such class or part of an age class has been designated by proclamation under Part IV and that the Governor in Council has thereby authorized Divisional Registrars to require men in such class or part of an age class to report for military training, and when used with reference to any man means that he is liable to report for military training under Part IV and that he is a member of an age class or part of an age class which has been so designated;
 - (i) "Director" means the Director of National Selective Service appointed under these regulations;
 - (j) "Division" means an Administrative Division established by these regulations and, with reference to any man, means the Division in which he resides;
 - (k) "Divisional Registrar" means a Registrar appointed pursuant to these regulations and, with reference to any man or Board means the Registrar for the Division in which such man resides or such Board is established;
 - (l) "examining physician" means a medical practitioner appointed as an examining physician under these regulations;
 - (m) to "lay off" means to cease for a period to make use of the services of an employee under circumstances which relieve the employer from remunerating the employee in respect of such period;
 - (n) "local office" means an Employment and Selective Service Office, formerly an Employment and Claims Office established by the Unemployment Insurance Commission, or any other office designated by the Director as a local office for the purpose of these regulations, and in respect of any person, means the nearest local office to the place where he carries on business or is employed or, if he is not in business or employed, to the place where he resides;

- (o) "military training", means military, naval or air force training, service or duty in Canada and the territorial waters thereof;
- (p) "Minister" means the Minister of Labour;
- (q) "National War Labour Board" means the Board established by the Wartime Wages Control Order;
- (r) "Notice—Medical Examination" means a notice served on a man pursuant to these regulations requiring him to submit himself for medical examination;
- (s) "Notice—Military Training" means a notice served on a man pursuant to these regulations requiring him to report for military training;
- (t) "peace officer" has the same meaning as in the Criminal Code;
- (u) "person mainly employed in agriculture" means any person who was, on the twenty-third day of March, nineteen hundred and forty-two, wholly or mainly employed or engaged in agriculture and who has not since that day ceased to be wholly or mainly employed or engaged in agriculture, whether or not any such person is, or has been at any time since the said day, employed or engaged on seasonal or temporary work outside agriculture if such seasonal or temporary work does not interfere with his employment or work in agriculture;
- (v) "postponement order" means an order under these or any other regulations postponing a man's compulsory military training.
- (w) "prescribed" means prescribed by the Director;
- (x) "publish" means to communicate to any person or persons by any means whatsoever;
- (y) "registration card" means a registration card completed pursuant to the National Registration Regulations, 1940;
- (z) "representative of agriculture" means the person authorized by the Minister of Agriculture to act as such in any Division;
- (za) "representative of the Department of National Defence" means the officer authorized by the Department of National Defence to act as such in any Division;
- (zb) "representative of the National War Labour Board" means the person authorized by that Board to act as such in any Division;
- (zc) "Selective Service Officer" means a National Selective Service Officer appointed under these regulations and in respect of any person means the Selective Service Officer representing the Director in the area in which such person carries on business or is employed, or if he is not in business or employed, in the area in which he resides; and
- (zd) a reference to a section, part or schedule by number only shall be a reference to such section, part or schedule in these regulations.

(2) Unless the context otherwise requires, words importing the masculine gender include females when used in any part of these regulations except Part IV.

(3) Where a man is temporarily in a Division other than the one in which he resides and the Board for the latter Division transfers authority to select him to the Board for such other Division, "Board", when used with reference to such man, shall mean the Board to which such authority has been transferred, "Division", when used with reference to such man, shall mean the Division for which such Board was established, and "Divisional Registrar" when used with reference to such man, shall mean the Registrar for such Division.

PART I

GENERAL

100. The Minister shall carry out the policies of the Government of Canada as laid down from time to time with reference to the utilization of the manpower of Canada in the prosecution of the war; and for that purpose he shall

- (a) make such surveys of the manpower resources and needs of Canada as he deems necessary;
- (b) maintain and operate an employment service in Canada;
- (c) take such steps as may be necessary to ensure the most efficient use of manpower by employers other than His Majesty in right of Canada;
- (d) after consultation with the armed services of Canada and the departments and agencies of the Government of Canada whose activities affect or relate to the demand for or the supply of manpower, recommend to each of them such action as, in his opinion, is necessary to co-ordinate such activities and carry out the policies of the government; and
- (e) recommend to the Governor in Council such action as, in his opinion, is necessary to co-ordinate activities of the armed services of Canada and of departments and agencies of the Government of Canada which affect the demand for or the supply of manpower and such further action as is necessary to achieve the manpower objectives laid down by the Government.

PART II

CIVILIAN EMPLOYMENT

Interpretation

200. In this part, unless the context otherwise requires:

- (a) "employee" includes any person who is employed under a contract of service or apprenticeship, written or oral, expressed or implied, and any person or group or class of persons declared by the Director to be employees for the purposes of this part, whether or not such persons are employed under a contract of service or apprenticeship, but does not include—
 - (i) any person employed by His Majesty in right of any province;
 - (ii) any member of His Majesty's Naval, Military or Air Forces;
 - (iii) any person employed in agriculture, fishing, hunting or trapping;
 - (iv) any technical person within the meaning of that expression as defined by Part III;
 - (v) any minister, priest or clergyman authorized to perform the marriage ceremony;
 - (vi) any registered nurse or person undergoing training to become a nurse;
 - (vii) any teacher in a school, college or university which, in the opinion of the Director, is not carried on for gain;
 - (viii) any female person employed in domestic service in a private home where not more than one servant is employed;
 - (ix) any student when employed only after day classes or on holidays during the school or college term but not when employed during the long summer vacation;
 - (x) any person in respect of part-time subsidiary employment which is not his principal means of livelihood;
 - (xi) any person in respect of casual or irregular employment for not more than three days in any calendar week for the same employer.
- (b) "employer" means any person having one or more persons in his employ and includes His Majesty in right of Canada, any person acting on behalf of an employer, and in the case of a corporation which is an employer, any officer of the corporation;
- (c) "fishing" means the art or practice of catching fish for commercial sale by any method other than steam or diesel trawlers or draggers, but does not include any processing of fish on shore;
- (d) "notice of separation" means a notice given by an employer or employee pursuant to section two hundred and two or a similar notice given under The National Selective Service Regulations, 1942;
- (e) "permit to seek employment" means a permit furnished by a Selective Service Officer pursuant to section two hundred and four or a similar permit furnished under The National Selective Service Regulations, 1942.

(2) No employer or employee shall be bound by any provision of this part which is inconsistent with any right or privilege of the employer or employee, as the case may be, under a collective labour agreement.

Supply and Demand

201. (1) When a person ascertains that he requires or will require to engage an employee or that he will be laying off or discharging an employee, he shall forthwith supply the local office with such information as to his requirement or the employee to be laid off or discharged as may be prescribed.

(2) When any person over sixteen years of age is, or knows that he is going to be, unemployed or not employed full time on remunerative work, he shall register with the local office and supply such information as may be prescribed.

(3) No person shall have in his employment more persons of any particular qualifications than are reasonably necessary for his immediate needs without notifying the local office that the persons whose services are not immediately necessary are available for employment.

Separation from Employment

202. (1) No employer shall lay off, or terminate the employment of, an employee without giving him in prescribed form

- (i) seven days' notice of separation exclusive of the day on which the notice is given, or
- (ii) such shorter notice as the Selective Service Officer allows by a written permit,

unless such employee's services have been made unnecessary by damage to, or destruction of, his place of employment by fire, explosion or other catastrophe.

(2) Except to undergo compulsory training, service, duty or work under Part IV, no employee shall

- (a) terminate his employment, or
- (b) obtain leave of absence to take other employment, without giving to his employer in prescribed form in triplicate
 - (i) seven days' notice of separation exclusive of the day on which such notice is given, or
 - (ii) such shorter notice as the Selective Service Officer allows by a written permit.

(3) Every employer shall, on request, furnish an employee with an adequate supply of forms containing the prescribed notice of separation.

(4) Where an employee gives an employer notice of separation under this part, the employer shall forthwith sign one copy thereof in the prescribed place and return it to the employee.

(5) Every employer who gives or receives a notice of separation under this part shall retain one copy thereof on file and shall, within forty-eight hours of giving or receiving such notice, deliver a copy thereof to the local office.

(6) Where employment has been terminated or interrupted because an employee's services have been made unnecessary by damage to or destruction of his place of employment, the employer shall, within forty-eight hours of such termination or interruption, notify the local office in prescribed form that the employee's employment has been so terminated or interrupted.

(7) The provisions of this part with respect to the giving of notice of separation shall not supersede any law, statutory or otherwise, requiring a longer notice.

203. (1) Where an employer is of opinion that an employee is guilty of serious misconduct he may give him notice of separation pursuant to section two hundred and two and suspend him from duty forthwith.

(2) An employee may, within seven days of being suspended under subsection one of this section, exclusive of the day on which he was suspended, apply in writing to the Selective Service Officer to review such suspension; and, if he does not make such an application, his employment shall be deemed to have terminated when he was suspended.

(3) If, upon reviewing a suspension for serious misconduct, a Selective Service Officer finds that the suspension was necessary for the maintenance of discipline, the employee's employment shall be deemed to have terminated when he was suspended but if, upon such review, the Selective Service Officer finds that the suspension was not necessary for the maintenance of discipline, the employer shall reinstate the employee with full pay from the time the application for review was made and the notice of separation given prior to the suspension shall be of no effect.

Control of Employment

204. (1) The Selective Service Officer shall, on request, furnish a permit to seek employment in prescribed form to any employee who presents a notice of separation signed by his employer or to any person other than an employee, and he may, in accordance with principles and directions set out in instructions given by the Director, insert therein restrictions as to

- (i) the place where employment may be obtained thereunder,
- (ii) the employer from whom employment may be obtained thereunder,
- (iii) the nature of the employment which may be obtained thereunder, or
- (iv) the duration of the employment which may be obtained thereunder.

(2) The Selective Service Officer may, at any time,

- (a) cancel a permit to seek employment by notice in writing to the employer and employee effective upon or after the expiration of seven days from the day such notices are mailed, or
- (b) extend the period of employment fixed by a permit to seek employment.

205. (1) Neither an employer nor a person acting or pretending to act on behalf of an employer shall

- (a) interview any person with regard to employment as an employee,
- (b) solicit any person to enter into employment as an employee,
- (c) offer any person employment as an employee, or
- (d) take any person into employment as an employee, unless such person presents to him in duplicate a permit from the Selective Service Officer to seek such employment.

(2) No person shall apply for, accept or enter employment as an employee, unless he has obtained from the Selective Service Officer a permit to seek such employment.

(3) No permit to seek employment is necessary for the re-employment of an employee by an employer.

- (a) within fourteen consecutive days from the day on which the employee was last employed by the employer,
- (b) at the termination of a period of sickness or disability which occasioned the termination of a previous employment of the employee by the employer,

- (c) at the termination of a stoppage of work which resulted from an industrial dispute and terminated the employee's previous employment by the employer,
- (d) pursuant to a collective labour agreement providing preference in re-employment according to service or seniority, or
- (e) upon reinstatement in employment pursuant to this part of The Reinstatement in Civil Employment Act, 1942.

but in any such case, the employer shall, within forty-eight hours of the commencement of such re-employment, deliver notice of such re-employment in prescribed form to the local office.

(4) Where an employer takes an employee into employment, he shall, unless it is a case of re-employment under subsection three of this section,

- (a) record the prescribed particulars of the employment on both copies of the permit to seek employment presented to him by the employee,
- (b) retain one copy of the permit to seek employment on file, and
- (c) within forty-eight hours of taking the employee into his employment, deliver the other copy of the permit to the local office.

206. (1) No employer shall during any day retain in his employment an employee who was, contrary to law, taken into employment without having obtained and presented a permit to seek such employment.

(2) No employer shall retain an employee in his employment during any day if the permit to seek employment pursuant to which he took the employee into his employment has been cancelled pursuant to these or any other regulations or during any day after the period of employment authorized thereby expires.

(3) No employee shall, during any day, remain in any employment which he, contrary to law, entered without having obtained a permit to seek employment.

(4) No employee shall remain in any employment during any day if the permit to seek employment pursuant to which he entered such employment has been cancelled pursuant to these or any other regulations or during any day after the period of employment authorized thereby expires.

Agricultural Employment

207. (1) No person mainly employed in agriculture shall enter employment outside agriculture except

- (a) active service in His Majesty's Canadian armed forces, or
- (b) seasonal or temporary employment for a period of not more than thirty consecutive days when such employment does not interfere with agricultural production,

unless he has first obtained a permit in prescribed form to accept such employment from the Selective Service Officer.

(2) No person shall take a person mainly employed in agriculture into employment outside agriculture except

- (a) active service in His Majesty's Canadian armed forces, or
- (b) seasonal or temporary employment for a period of not more than thirty consecutive days when such employment does not interfere with agricultural production,

or retain any such person in any such employment during any day, unless such person has obtained and presented to him a permit in prescribed form to accept such employment.

Advertisements

208. (1) No person shall publish an advertisement offering employment as an employee or seeking employment as an employee except pursuant to and in accordance with a written permit obtained from the Selective Service Officer.

(2) Where an application is made to a Selective Service Officer for a permit to advertise under this section, the Selective Service Officer may, in accordance with principles and directions set out in instructions given by the Director,

- (a) refuse the permit,
- (b) grant the permit subject to such conditions as he deems proper, or
- (c) with the applicant's consent, make such arrangements, at the applicant's expense, as he deems proper.

Compulsory Employment

209. (1) A Selective Service Officer may by order in writing direct any person,

- (a) to report for interview at a local office at a time which will not interfere with his work or occupation, if any;
- (b) if the person is unemployed or not gainfully employed to apply forthwith for specified employment which, in the opinion of the Selective Service Officer, is suitable and to accept the employment when it is offered to him; or
- (c) if, for more than two consecutive weeks, the person has not been gainfully employed during normal full time, to apply, within seven days from the time when the direction is given, for specified full time employment which, in the opinion of the Selective Service Officer, is suitable and to accept the employment when it is offered to him,

and every person to whom any such direction is given shall comply with the direction.

(2) An employee shall, for the purpose of this section, be deemed to be unemployed on the termination of a period of seven days from the day his employer gives him a notice of separation or he gives his employer a notice of separation.

(3) When a Selective Service Officer directs an employed person to accept employment under this section, he shall send a copy of the order to such person's employer.

(4) In deciding whether employment is suitable for a person, a Selective Service Officer shall consider such factors as he deems relevant including the person's physical condition, training, experience, prior earnings and personal responsibilities and the distance of the employment from his residence; and he shall not consider employment to be suitable if the wages are lower, or the conditions of work are less favourable, than either those fixed by collective agreement for the place where the work is to be performed or, if there is no such agreement, those observed by good employers.

(5) When a Selective Service Officer directs a person under this section to accept employment which necessitates changing his place of residence, he shall provide such person with financial assistance under this part.

(6) No person shall terminate employment which he has been directed to accept under this section or cease to perform his duties in the employment without a written permit from the Selective Service Officer.

Employment Changes

210. Where in the opinion of a Selective Service Officer, it is in the national interest that an employed person take employment other than that in which he is employed, the Selective Service Officer may request him to accept such employment at the expiration of seven consecutive days from service on his employer, either personally or by registered post, of a notice that such request is made pursuant to these regulations; and the person to whom such request is made may accept such employment at the expiration of such time notwithstanding his contract of employment or any law, statutory or otherwise, to the contrary.

Supplementary Allowances

211. (1) Where a Selective Service Officer directs or requests a person to take employment which involves a change of residence, he may in accordance with principles and directions set out in instructions given by the Director,

- (a) advance such person an amount not exceeding his necessary transportation expenses to the place of employment and return, or
- (b) if, in his opinion, it is necessary to move such person's dependents, advance him an amount not exceeding the necessary transportation expenses for himself and his dependents, and the necessary expenses of moving his effects to the place of employment, and
- (c) advance him an allowance not exceeding three dollars per day in respect of living expenses while en route to the employment.

(2) A person to whom an advance is made under subsection one of this section shall repay the amount thereof to the Crown upon demand but he shall be deemed to have repaid to the Crown in respect of such advance five dollars, or such other amount not exceeding ten dollars as the Director may fix, for each week during which he remains in the employment which he accepted on the direction or at the request of the Selective Service Officer; and if he remains in the employment for the period which he was, pursuant to this part, directed or requested to remain, he shall be deemed to have repaid the full amount of the advance.

(3) Where a Selective Service Officer directs or requests a person to take employment which involves a change of residence and requires him to be separated from his dependents, and the earnings from the employment are not, in the opinion of the Selective Service Officer, sufficient to compensate him for the increased cost of living occasioned by the separation, the Selective Service Officer may, in accordance with principles and directions set out in instructions from the Director, pay him a supplementary living allowance not exceeding five dollars for each week he is in such employment.

(4) Where a Selective Service Officer directs or requests a person to take employment at a lower remuneration than he is receiving, the Selective Service Officer may, in accordance with principles and directions set out in instructions from the Director, pay him a supplementary allowance not exceeding five dollars for each week he is in such employment.

(5) Where a Selective Service Officer directs or requests a person to take employment, he may, in accordance with principles and directions set out in instructions from the Director, advance him an amount not exceeding fifteen dollars to defray living expenses during the first week of employment, and the person to whom such advance is made shall repay the amount thereof to the Selective Service Officer within forty-eight hours from receiving his first normal wages or salary from the employment or within such further period as the Selective Service Officer may allow.

(6) Payments under this section shall be made by the Comptroller of the Treasury on the request of the Selective Service Officer, or, in the Director's discretion, by the Selective Service Officer out of moneys advanced to him for the purpose.

(7) Payments under subsections three and four of this section may be made to the person to whom the supplementary allowance is granted or to his employer on his behalf; and where any such payment is made to an employer, the employer shall pay it to the person to whom the supplementary allowance is granted the next time he pays such person any salary or wages or, in any event, within one month from the receipt thereof.

(8) Where an advance is made under subsection one of this section for transportation expenses, the Selective Service Officer may pay the amount thereof or any part thereof to a transportation company in payment for transportation for the person to whom the advance is made.

212. (1) Where, in the opinion of the Director, it is necessary or advisable, in order to maintain or encourage essential production, to bonus any person or group or class of persons, the Director may pay to such person or to each person in such group or class of persons an allowance not exceeding ten dollars, or such other allowance as the Governor in Council may approve, for each week in respect of which he is of opinion that the allowance is necessary or advisable and such payments shall, in the Director's discretion, be exempt from income tax.

(2) Payments under this section shall be made by the Comptroller of the Treasury at the request of the Director, or, in the Director's discretion, by the Selective Service Officer out of moneys advanced to him for the purpose and may be made to the person who is being bonused or to his employer on his behalf; and where any such payment is made to an employer, the employer shall pay it to the person who is being bonused the next time he pays such person any salary or wages or, in any event, within one month from the receipt thereof.

Reinstatement

213. (1) Where a Selective Service Officer directs or requests an employed person to accept other employment under this part and notifies the employed person's employer that such direction or request is made pursuant to these regulations, and the employed person thereupon accepts such employment, the provisions of The Reinstatement in Civil Employment Act, 1942, shall apply *mutatis mutandis* to the reinstatement of such person upon the termination of the work which he has been directed or requested to accept.

(2) Where any person lays another person off or discharges him pursuant to an order made under these regulations, the provisions of The Reinstatement in Civil Employment Act, 1942, shall apply *mutatis mutandis* to the reinstatement of the person who has been laid off or discharged when the Director certifies that such person is no longer required for essential work.

Appeals

214. Any decision by a Selective Service Officer under this part shall be final unless by notice in writing filed in the local office within seven days from the day the decision is made a person aggrieved thereby appeals to the Director or some person designated by him for deciding such appeals, in which event, the matter shall be reconsidered by the Director or such other person and the decision on such appeal shall be final.

PART III

TECHNICAL PERSONNEL

Interpretation

300. In this part unless the context otherwise requires

- (a) "employer" includes His Majesty in right of Canada and in right of any province;
- (b) "essential work" means work which is, in the opinion of the Director, essential to the efficient prosecution of the war; and
- (c) "technical person" means a person described in Schedule "A".

Supply and Demand

301. (1) When a person ascertains that he requires or will require to engage a technical person or that he will be laying off or discharging a technical person, and when a person discharges or lays off a technical person, he shall forthwith supply the Director at Ottawa with such information as to his requirements or the technical person discharged or laid off or to be discharged or laid off as may be prescribed.

(2) When a technical person desires to obtain new employment or is, or knows that he is going to be, unemployed or not employed full time on remunerative work of a kind for which he is especially qualified, he shall forthwith supply the Director at Ottawa with such information as may be prescribed.

Control of Employment

302. (1) No person shall enter into a contract or arrangement for the services of a technical person without the approval of the Director.

(2) No person shall make use of the services of a technical person during any day and no person shall pay any remuneration or salary to a technical person in respect of any day if the employment or arrangement under which he is employed came into operation without the approval required by these regulations or any other regulations.

Employment Changes

303. (1) Where, in the opinion of the Director, any technical person is capable of contributing more effectively to the war effort in essential work other than that, if any, upon which he is engaged, the Director may request him to take employment in such work and notify his employer of such request.

(2) Where a technical person agrees to accept work pursuant to a request by the Director under this section, the employer of the technical person may make representations in writing to the Director at Ottawa but if the Director does not withdraw his request within thirty days from the day notice thereof is sent by registered mail to the employer at his place of business, the employer's employment of such person shall be terminated at the end of such period.

(3) Where a technical person enters into employment on work which is, in the opinion of the Director, essential work and the Director notifies the employer by whom the technical person was employed immediately before entering such employment that he approves the arrangements for such employment, the technical person shall be deemed to have entered into the employment at the request of the Director.

Reinstatement

304. (1) Where a technical person enters employment on essential work at the request of the Director, the employer by whom he was employed immediately before entering the employment on such work shall reinstate him at the termination of his employment on the essential work in a position and under circumstances not less favourable than the position which he would have held and the circumstances which would have been applicable to him had he not entered such employment.

(2) No person is required, by reason of subsection one of this section, to reinstate a former employee who entered employment on essential work at the request of the Director if

- (a) the former employee does not, within two weeks from the termination of his employment on essential work, apply to the employer for reinstatement;
- (b) the former employee fails without reasonable excuse to present himself for employment at a time and place notified to him by the employer after his request for reinstatement;
- (c) by reason of a change of circumstances, other than the employment of some person to replace him, it is not reasonably practicable to reinstate him;
- (d) his reinstatement in a position and under conditions not less favourable to him than the position which he would have held and the circumstances which would have been applicable to him had he not undertaken the essential work is impracticable and the employee refuses, within a reasonable time, to accept the most favourable position under the most favourable conditions in which it is reasonably practicable for the employer to reinstate him;
- (e) the former employee is physically or mentally incapable of performing the work available in the employer's service; or
- (f) the former employee was originally employed to replace a person who had been accepted for service in His Majesty's forces or to replace a person who entered employment in essential work at the request of the Minister.

(3) Where an employer has reinstated a technical person pursuant to this section, he shall not discharge him or lay him off without reasonable cause; and if he discharges him or lays him off within six months of the reinstatement, the onus shall be on the employer to prove that he had reasonable cause for so doing.

(4) Where an employer has entered into an agreement with his employees, some or all of whom are technical persons, that he will re-employ employees who leave his employment for employment in essential work, such agreement shall continue in force to the extent that it is not less advantageous to an employee than this section.

(5) No person is, by reason of this section, relieved of any obligation under a collective or other agreement.

(6) Where a person fails to reinstate a technical person who entered employment on essential work at the request of the Director as required by this section or, contrary to this section, discharges or lays off a technical person without reasonable cause, he shall pay to the technical person an amount equal to three months' remuneration at the rate at which the technical person was being remunerated immediately prior to entering employment on essential work at the request of the Minister and, if he does not do so, the technical person may recover such amount as a debt in any court of competent jurisdiction.

PART IV

COMPULSORY MILITARY SERVICE

Interpretation

400. (1) In this part, unless the context otherwise requires:—

- (a) “national” includes a subject or citizen;
- (b) “non-declarant alien” means an alien who has not made a declaration of intention to apply for naturalization pursuant to the order made by the Governor in Council in that connection on the ninth day of July, nineteen hundred and forty-two;
- (c) “proclamation” means a proclamation issued by the Governor in Council pursuant to this part; and
- (d) words importing the masculine gender do not include females.

(2) Where a certain number of days expressed to be clear days is prescribed by this part for the doing of an act or the taking of a proceeding, a holiday as defined by the Interpretation Act shall not be reckoned in the computation thereof.

Liability to Report for Military Training

401. (1) Every male person in Canada who is of the ages of nineteen years to forty-five years, inclusive, is liable, subject to this part, to report for military training for such period or periods as may from time to time be fixed by proclamation.

(2) The following are not liable to report for military training under this part:—

- (a) Judges of the Supreme and Exchequer Courts of Canada and Judges of Superior, District or County Courts;
- (b) members of the Clergy and of Religious Orders;
- (c) regular clergymen and ministers of religious denominations;
- (d) members of His Majesty’s Naval, Military and Air Forces on Active Service, and cadets and other students entered at His Majesty’s Naval, Military and Air Force Colleges in Canada;
- (e) members of the Royal Canadian Mounted Police and of provincial police forces; and
- (f) non-declarant enemy aliens.

(3) No non-declarant alien who is a national of Belgium, Czechoslovakia, the Netherlands, Norway, Poland, the United States of America, Yugoslavia or any other country which is a foreign power under the Foreign Forces Order, 1941, is liable to report for military training under this part if he has filed with the Divisional Registrar satisfactory evidence that he has become a member of the armed forces of the state of which he is a national.

(4) No non-declarant alien who is a national of any country not specified or described in subsection three of this section is liable to report for military training under this part if, prior to the date upon which he is so required to report, he has completed a statutory declaration in the form set out in Schedule “B”, and has filed the same with the Divisional Registrar.

(5) Men who are liable to report for military training under this part shall be classified in separate yearly age classes, and the age class of any man shall, unless the Director otherwise specifies, be termed that of the year in which he was born.

Procedure

402. In order that there may be no unnecessary interference with occupations, industries or establishments which are essential for the defence of Canada or the efficient prosecution of the war, the Director shall, subject to this part, supervise and control the selection of the men to be required to report for military training.

403. (1) No man shall be required to report for military training under this part until the Governor in Council has, by proclamation, designated the age class or part of an age class to which he belongs, and when he so designates any age class or part of an age class Divisional Registrars are, subject to this part, authorized to require men belonging to such age class or part of an age class to report for military training under this part.

(2) If a man who is liable to report for military training under this part belongs to an age class or part of an age class which has been designated under this part or called out pursuant to The National War Services Regulations, 1940 (Recruits), he may be required to report for military training under this part whether or not he was liable to report for military training when his age class or part of an age class was designated or called out.

(3) When an age class or part of an age class is designated under this section, the Divisional Registrar shall assign a serial number to each man in such class or part of an age class.

(4) Unless the proclamation otherwise directs, men who have been designated shall from time to time report at such place and time, in such manner and to such authority or person, as the Divisional Registrar may require, and do or submit to such things as are required by these regulations or the Reserve Army (Special) Regulations (1941).

404. (1) The Minister of National Defence shall, from time to time, inform the Minister of the number of men required by the Department of National Defence for military training and he shall, at the same time, inform the Minister as to the place and time at which, and the authority or person to whom, the men are required to report.

(2) The Director shall, from time to time, determine the number of men in each Division required for military training.

405. (1) The Board for each Division shall, in accordance with principles and directions set out in instructions given by the Director, select the number required from men in the Division who have been designated.

(2) No man shall be selected unless he is a British subject who is, or who has been at any time since the first day of September, nineteen hundred and thirty-nine, ordinarily resident in Canada or he has been in Canada, except for temporary absences, throughout the year immediately preceding his selection.

(3) Every employer, including His Majesty in right of Canada and of any province, shall, if so requested by a Board, submit to the Board within such time as the Board may allow a proposal as to the time when his employees should be required to report for military training.

(4) Every Divisional Registrar shall serve each man selected in his Division, or cause him to be served, either personally or by registered post, with a notice in prescribed form requiring him to submit himself for medical examination, within three clear days of service of the notice, to an examining physician in the Division.

406. (1) A man upon whom a "Notice—Medical Examination" has been served may, by an application in prescribed form signed by him, apply, within

eight clear days after the date appearing on such notice or such further time as the Board allows, to the Board for a postponement order, and the Board shall, in accordance with principles and directions set out in instructions given by the Director, grant him a postponement order or deny his application.

(2) The Board may, in accordance with principles and directions set out in instructions given by the Director, cancel a postponement order made under these or any other regulations or grant one or more extensions of the postponement period, if any, fixed by a postponement order.

(3) Upon an application for a postponement order under this part, the Board may, before disposing of the application, order the applicant to appear before the Board or a member of the Board, or before a Judge of a Superior or other Court, a Police or Stipendiary Magistrate, or a Magistrate having the authority of two Justices of the Peace, at such time and place as the Board may specify to establish his claim for postponement; and upon receiving a report on the facts and a recommendation from the person or body before whom the applicant is so required to appear, the Board shall proceed to dispose of the application pursuant to subsection one of this section.

(4) If, in any case, a Board refuses to grant a postponement order, the applicant may apply to the Board for leave to appeal from such refusal to a Judge on the ground that refusal to grant the application will cause extreme hardship to his dependents; and the Board shall, if it considers it in the National interest to do so, grant such leave and submit the application for a postponement order to a Judge designated to hear appeals in that Division by the Chief Justice of the Province in which the larger part of the Division is situated.

(5) When a Board submits an application for a postponement order to a Judge under this section, the Judge may grant such postponement order as, in its opinion, the Board should have granted.

407. (1) If a man who has been examined by an examining physician is found fit for military training and no postponement order is granted to him pursuant to this part, the Divisional Registrar shall serve him or cause him to be served, either personally or by registered post, with a notice in prescribed form requiring him to report for military training at a time and place specified in such notice unless he has, or will have before such time, attained the age of forty-six years.

(2) Upon the cancellation of a postponement order or upon the expiration of the postponement period fixed by a postponement order, the Divisional Registrar shall serve the man to whom the order was granted, or cause him to be served, either personally or by registered post, with a notice in prescribed form requiring him to report for military training at a time and place specified in such notice although he has, since such order was granted attained the age of forty-six years.

(3) When a Divisional Registrar has served any man, or caused him to be served, with a "Notice—Military Training", he shall notify the representative of the Department of National Defence that such notice has been served and inform the representative of the man's name, address and serial number.

408. (1) A man liable to report for military training may be designated under section four hundred and three from time to time.

(2) A designated man may be selected under section four hundred and five from time to time and the relevant provisions of this part shall be applicable after each selection.

Agricultural Workers

409. If, upon application under this part for a postponement order, the Board is satisfied that the applicant is mainly employed in agriculture, the Board shall grant him an order postponing his military training until further notice, unless the Board is of opinion that the man is not an essential worker in agriculture or that he has, at any time since the twenty-third day of March, nineteen hundred and forty-two, ceased to be mainly employed or engaged in agriculture; and the Board may cancel a postponement order made under this section or a similar order made under The National War Services Regulations, 1940 (Recruits) at any time if it is satisfied that the man has ceased to be an essential worker in agriculture.

Policemen, Firemen, Wardens and Theological Students.

410. (1) If, upon application under this part for a postponement order the Board is satisfied that the applicant is a member of a police force or fire brigade or a warden or officer of a penitentiary, prison, lunatic asylum or mental hospital, the Board shall grant him an order postponing his military training until further notice unless the Board is of opinion that the man is not essential to the efficient administration of such force, brigade or institution; and the Board may cancel such postponement order at any time if it is satisfied that the man has ceased to be essential to the efficient administration of the force, brigade or institution.

(2) If, upon an application under this part for a postponement order, the Board is satisfied that the applicant is a *bona fide* candidate or student for the Ministry of a religious denomination eligible to supply chaplains to the armed forces, the Board shall grant him an order postponing his military training until further notice unless the Board is of opinion that the man is not essential to the well-being of the community; and the Board may cancel such postponement order at any time if it is satisfied that the man has ceased to be essential to the well-being of the community.

Doukhobors, Mennonites and Conscientious Objectors

411. (1) If, upon an application under this part for a postponement order the Board is satisfied that the applicant is a member of the denomination of Christians called Mennonites or a member of the Community of Doukhobors who immigrated to Canada pursuant to the arrangements evidenced by the Order in Council of the thirteenth day of August, eighteen hundred and seventy-three and by the Order in Council of the sixth day of December, eighteen hundred and ninety-eight, respectively, or by any of the descendants of such immigrants who have continued without interruption to be members of the said sect or denomination of Christians or of the said Community of Doukhobors and who have resided without interruption in Canada, the Board shall grant him an order postponing his military training until further notice; and the Board may cancel a postponement order made under this subsection or one made on similar grounds under The National War Services Regulations, 1940 (Recruits) at any time if it is satisfied it is in the national interest to do so.

(2) If, upon an application under these regulations for a postponement order the Board is satisfied that the applicant conscientiously objects, by reason of religious training and belief, to war in any form and to participation in combatant military service in which he might be required to take human life, the Board shall grant him an order postponing his military training until further notice; and the Board may cancel a postponement order made under this sub-

section or one made on similar grounds under The National War Services Regulations, 1940 (Recruits) at any time if it is satisfied that it is in the national interest to do so.

(3) Upon an application for a postponement order to which this section applies, the Board may make the postponement order or may order the applicant to appear before the Board or a member of the Board, or before a Judge of a Superior or other Court, a Police or Stipendiary Magistrate, or a Magistrate having the authority of two Justices of the Peace at such time and place as the Board may specify to establish his claim for postponement; and if the Board, member of the Board, Judge or Magistrate, as the case may be, determines that the applicant is entitled to a postponement order under this section, the Board shall grant an order in accordance with such determination.

Royal Canadian Mounted Police

412. (1) The Minister of Justice may, from time to time, inform the Minister that a stated number of men are required by the Royal Canadian Mounted Police for special duty and, when he does so, he shall inform the Minister as to the place and time at which, and the authority or person to whom, the men are required to report.

(2) The Director shall determine the Division or Divisions from which such men shall be required to report for special duty with the Royal Canadian Mounted Police and the number of men required in each Division.

(3) The Board for each Division from which men are to be required to report for special duty with the Royal Canadian Mounted Police shall, in accordance with principles and directions set out in instructions given by the Director, select the number required from men in the Division who have not attained the age of forty-six years, who have been examined by examining physicians pursuant to this part and found not to be fit for military training but fit for special duty in the Royal Canadian Mounted Police and to whom no postponement order has been granted.

(4) A Divisional Registrar shall serve each man in his Division selected for special duty in the Royal Canadian Mounted Police, or cause him to be served, either personally or by registered post, with a notice in prescribed form requiring him to report for training and special duty with the Royal Canadian Mounted Police at a time and place specified in such notice.

(5) Any man who reports for training and special duty in the Royal Canadian Mounted Police under this part shall thereupon, without further formality, become a member of the Royal Canadian Mounted Police as a special constable and shall, during the continuation of the state of war now existing, be a member of the Royal Canadian Mounted Police for such period or periods as the Minister of Justice may, from time to time, require.

(6) While any man is a member of the Royal Canadian Mounted Police pursuant to this part, he shall be subject to the Royal Canadian Mounted Police Act, regulations made thereunder and such special conditions of service as the Commissioner of the Royal Canadian Mounted Police may prescribe.

Alternative Service, Duty or Work

413. (1) The Board may from time to time order any person who has been designated and

- (i) has been granted a postponement order under section four hundred and eleven, or
- (ii) has been granted a postponement of military training on similar grounds under the National War Services Regulations, 1940 (Recruits),

to report to a person named in such order to carry out such alternative service, duty or work as the Director may prescribe, and to continue to carry out such alternative service, duty or work from time to time as required by the Director unless it be established to the satisfaction of the Board that such person is not medically fit to perform such alternative service, duty or work.

(2) The Divisional Registrar shall serve each man in respect of whom an order has been made under this section, or cause him to be served, either personally or by registered post, with a notice requiring him to report as therein set out or as the Director may require.

(3) A man to whom an order is issued under this section shall comply with every order or notice which may be sent to him by the Divisional Registrar, shall live in such place under such circumstances as the Director may require, and shall undergo or perform such alternative service, duty or work as the Director may require.

(4) The Director shall pay fifty cents per day to every man undergoing or performing alternative service, duty or work and may pay seventy-five cents per day to a man who has been appointed a sub-foreman and one dollar per day to a man who has been appointed a foreman, but no such man shall be entitled to any allowance in respect of clothing.

(5) Subject to subsection ten of this section, the Crown shall not be liable in respect of any claim arising out of the disability, illness or death of any man ordered to report under this section.

(6) The Minister may make arrangements with any department of the Government of Canada or enter into an agreement with any province, and the Director may arrange, for the organization and operation of a place or places where men may be required to report and carry out alternative service, duty or work pursuant to this section; and such agreement or arrangement may provide for:—

- (a) the payment of, or reimbursement for, all or any part of the cost of operating such place or places including any necessary capital outlay, rental of premises or equipment, cost of food and other supplies, the remuneration provided for by subsection four of this section, cost of tobacco, clothing and other goods to stock canteens, and salaries for necessary officers and employees;
- (b) the employment of necessary officers and employees;
- (c) the nature of the alternative service, duty or work to be carried out and the conditions under which it is to be carried out;
- (d) the living conditions to prevail in such place or places; and
- (e) medical attention to be provided for persons required to attend such place or places;

and notwithstanding the provisions of the Civil Service Act, such agreement may provide that the necessary officers and employees for such place or places may be employed by some person specified therein on such terms as may be therein provided for.

(7) Any person who is placed in charge of a place pursuant to an arrangement or agreement under this section shall have authority to give to men required to report to such place pursuant to this section, and to delegate authority to others to give to such men, all orders reasonably necessary for discipline in such place or for the proper carrying out of the alternative service, duty or work which they are required to carry out.

(8) The Director may prescribe rules for the regulation

- (a) of any place to which persons are required to report under this section and of the conduct of all persons required to report to such place, and
- (b) of the carrying out of alternative service, duty or work.

(9) The Director may, for any reason which he deems proper, from time to time, grant to a man who is required to carry out alternative service, duty or work, leave of absence without remuneration for such period as he may fix, and a man to whom any such leave has been granted shall report to such place and at such time as the Director may order at the expiration of such period or on cancellation by the Director of the leave before the expiration thereof.

(10) Every man required to report pursuant to this section shall, during the time he is carrying out alternative service, duty or work, be entitled to receive benefits under the Government Employees Compensation Act, as though he were an "employee" as defined by that Act.

Medical Examination

414 (1) The Director may appoint any qualified medical practitioner who is in good standing in Canada as an examining physician to examine men in the Division in which he practises.

(2) Upon receipt of a "Notice—Medical Examination", a man who has been designated shall immediately notify his employer of the receipt of such notice, and shall submit himself for medical examination at his own cost to an examining physician in the Division, and, if so, notified by the Divisional Registrar, he shall submit himself for one or more further medical examinations by such examining physicians as the Divisional Registrar may designate.

(3) The examining physician to whom a man submits himself and presents his "Notice—Medical Examination", shall examine the man in accordance with instructions from the Director, and shall report on the examination in such manner as the Director may require.

(4) When a man submits himself to an examining physician pursuant to this part, he shall leave his "Notice—Medical Examination" with the examining physician, who shall forward it to the Divisional Registrar attached to his report on the examination of such man.

(5) If doubt arises as to the accuracy of an examining physician's report, the Divisional Registrar may notify the man concerned to submit himself for further medical examination by a Medical Revision Board of three examining physicians appointed by the Director, at such time and place as the Divisional Registrar indicates; and in such event, the Medical Revision Board shall examine the man and make a report on its examination in accordance with instructions from the Director, and such report shall, for the purposes of this part, replace the examining physician's report.

(6) Upon the recommendation of a Board, the Director may issue to a man a certificate to the effect that he has been medically examined under this part and that, because of his physical condition, he is not, for the time being, required to report for military training; and the holder of any such certificate shall deliver such certificate to the Director for cancellation when the Director so requires by notice in writing.

Transportation and Subsistence

415. (1) The Director may issue, to a man upon whom a "Notice—Military Training", a notice to report for alternative service, duty or work or a notice

to report for training and special duty with the Royal Canadian Mounted Police has been served, such warrants for transportation, meals and lodgings as are necessary for the man's trip to the place where he is required to report.

(2) The Director shall arrange for the redemption of all warrants issued under these regulations by payment of such amounts as are *bona fide* payable thereunder and every person engaged in the business of carrying passengers shall accept warrants so issued for transportation.

416. (1) The Director may pay, to a man upon whom a "Notice—Military Training", a notice to report for alternative service, duty or work or a notice to report for training and special duty with the Royal Canadian Mounted Police has been served, a subsistence allowance of fifty cents a meal for the meals which he would normally require from the time he leaves the place to which the notice was addressed to the time of his arrival at the place where he is required to report.

(2) When no sleeping accommodation is provided at public expense, the Director may pay, to a man upon whom a "Notice—Military Training", a notice to report for alternative service, duty or work or a notice to report for training and special duty with the Royal Canadian Mounted Police has been served, an allowance of one dollar and twenty-five cents for each night necessarily spent en route from the place to which the notice was addressed to the place at which he is required to report.

PART V

Exit Permits

500. (1) No person over sixteen years of age shall leave Canada with the intention of seeking or entering into employment outside Canada except pursuant to a Labour Exit Permit in prescribed form issued to him by a Selective Service Officer, unless such person is

- (a) Leaving Canada to take employment in the service of the Government of Canada, the Government of a province of Canada, or the Government of any other country;
- (b) not a Canadian national and is proceeding to a country of which he is a national;
- (c) permanently resident in a country other than Canada, and is proceeding to such country or on transit through Canada to some other country;
- (d) a member of a dramatic, artistic, athletic or spectacular organization leaving Canada temporarily for the purpose of giving public performances or exhibitions of an entertaining or instructive character;
- (e) an actor, artist, lecturer, journalist, priest, minister of religion, author, lawyer, physician, professor of a recognized educational institution, accredited representative of an international trade union, commercial traveller or undertaker, leaving Canada for the temporary exercise of his calling or office;
- (f) an officer or member of a crew of a vessel leaving Canada, or an officer or seaman proceeding to join a vessel in a United States port pursuant to authorization issued by or on behalf of the Director of Merchant Seamen;
- (g) the wife of a man who is leaving Canada pursuant to a Labour Exit Permit or who is exempt from obtaining a Labour Exit Permit; or
- (h) a farm labourer going to the United States for seasonal work under an arrangement between the Governments of Canada and the United States.

(2) No male British subject who is, or who has been at any time since the first day of September nineteen hundred and thirty-nine, ordinarily resident in Canada and who has been designated shall leave Canada for any reason unless he has been so authorized in writing by the chairman of the Board.

501. (1) A Selective Service Officer may, in accordance with principles and directions set out in instructions from the Director, grant a Labour Exit Permit in prescribed form, either for a limited period of absence from Canada or for an indefinite period, to a person desiring to leave Canada to take employment or seek employment outside Canada, but no such permit shall be granted to a male British subject who is, or who has been at any time since the first day of September, nineteen hundred and thirty nine, ordinarily resident in Canada and who has been designated without the consent in writing of the chairman of the Board.

(2) The Selective Service Officer may, from time to time, in accordance with principles and directions set out in instructions from the Director, renew a Labour Exit Permit which has been granted for a limited period.

(3) Labour Exit Permits shall not be valid for departure from Canada after the last day fixed therein for such departure.

(4) Where a Labour Exit Permit is endorsed with the words "right to cancel this permit is reserved", the holder shall, if the Director cancels the permit, return to Canada within such period as the Director may fix.

(5) Where any Labour Exit Permit is granted for a limited period of absence from Canada, the holder shall return to Canada before the expiration of such period or the expiration of an extension of such period set out in a renewal of the permit.

502. An application for a Labour Exit Permit shall be in prescribed form and no person shall give false or misleading information in such application.

503. No person shall, without lawful reason or excuse, the proof of which shall lie upon him, have in his possession

- (i) a Labour Exit Permit or document purporting to be such permit, which permit or document was not lawfully issued to him pursuant to this order; or
- (ii) a blank form of Labour Exit Permit or printed form purporting to be such blank form of permit; or
- (iii) any writing purporting to be a written authority to leave Canada granted by the chairman of a Board to a person who has been designated.

504. No person shall, without lawful excuse, the proof of which shall lie upon him, print or make a Labour Exit Permit or any printed paper purporting to be a blank form of Labour Exit Permit.

505. Any person leaving or attempting to leave Canada may be accosted by a peace officer, an immigration, customs or excise officer, or any other person authorized by the Director to exercise the powers conferred by this section; and if, upon being so accosted, such person fails to establish to the satisfaction of the person so accosting him

- (a) that a Labour Exit Permit has been granted to him to leave Canada at that time or that he is not required by these regulations to have a Labour Exit Permit to leave Canada; and
- (b) that he has been authorized in writing to leave Canada by the chairman of the Board or that he is not a British subject who is, or who has been at any time since the first day of September, nineteen hundred and thirty nine, ordinarily resident in Canada or that he has not been designated,

any peace officer, any immigration, customs or excise officer, or any other person so authorized by the Director, is justified in using such force as may be necessary to prevent such person from leaving Canada.

PART VI

ADMINISTRATION

Selective Service Department

600. (1) There shall be a department of the Government of Canada which shall be called the National Selective Service Department over which the Minister of Labour shall preside.

(2) There shall be a National Selective Service Advisory Board of which the Minister and Director shall be chairman and vice-chairman, respectively, and which shall consist of such persons and of the members of such Boards or Committees as the Minister may designate.

601. (1) The Governor in Council may appoint an officer who shall be called the "Director of National Selective Service", shall have the powers of a deputy head and shall hold office during pleasure.

(2) The Director shall, under the Minister, have the exclusive management and direction of the National Selective Service Department and shall, for that purpose, be the deputy of the Minister.

(3) The Director shall, under the Minister, administer and enforce these regulations.

(4) The Director shall consult the National Selective Service Advisory Board before making any recommendation to the Government on a matter of major policy.

602. (1) When the Director is English speaking, the Governor in Council shall appoint a French speaking Associate Director who shall be the Senior Associate Director and when the Director is French speaking the Governor in Council shall appoint an English speaking Associate Director who shall be the Senior Associate Director.

(2) The Governor in Council shall appoint such further Associate Directors and such Assistant Directors as he may deem necessary to assist the Director in the performance of his duties.

(3) The Governor in Council shall appoint the members of the Draft Boards.

(4) The Director may appoint officers who shall be called National Selective Service Officers and who shall act as representatives of the Director in such areas as he may designate.

(5) Such other officers, clerks and servants as are necessary for the proper conduct of the business of the branch and the administration and enforcement of these regulations shall be appointed in the manner provided by law.

603. (1) For the purposes of Part IV, Canada is hereby divided into thirteen Administrative Divisions, as set out in Schedule "C".

(2) The Director may, from time to time, by notice in the *Canada Gazette*, increase or decrease the number of Divisions in Canada and may, from time to time in like manner, fix the boundaries of any Division.

604. (1) The Governor in Council shall establish in each Division a Board which shall consist of such members as the Governor in Council may appoint and shall be called The Draft Board for the Division.

(2) The Governor in Council shall appoint one member of each Board as Chairman thereof and the Director may appoint one or more members as Deputy Chairmen.

(3) The Governor in Council shall appoint a Registrar for each Division who shall be called the Divisional Registrar of the Division.

605. The Governor in Council shall determine the remuneration to be paid to the Director, Associate Directors, Assistant Directors, members of The Draft Boards and Medical Revision Boards, Divisional Registrars and examining physicians, and the Director shall determine the remuneration to be paid to such other officers, clerks and employees as may be appointed under these regulations.

606. The Director may by agreement borrow the services of a person employed by a department or agency of the Government of Canada or a private employer and may pay remuneration to such person or reimburse his employer for all or part of his remuneration by such payments as may be approved by the Governor in Council.

607. (1) The Director may, at pleasure, suspend a member of a Board, a Divisional Registrar or an Associate or Assistant Director and may appoint some person to fill his place until the Governor in Council makes a new appointment.

(2) The Director may, at pleasure, remove and replace a Selective Service Officer or examining physician or any other officer, employee or person appointed or exercising powers pursuant to these regulations.

608. The Director may establish at any place in Canada such office or offices as are required for the administration of these regulations and may provide therefor the necessary accommodation, stationery, equipment and telephones.

609. The Director may incur all expenses reasonably necessary for the proper administration and enforcement of these regulations and the cost thereof, including the remuneration of all officers and servants of the branch and such costs as he may reasonably incur or authorize in the exercise of any of his powers under these regulations, shall be paid out of moneys provided for the purpose.

Director's Powers

610. (1) The Director may—

- (a) instruct Associate and Assistant Directors, Divisional Registrars, Boards, Selective Service Officers and all other officers or employees of the branch as to the manner in which they shall perform the duties imposed upon them by these regulations and the principles to be applied in performing their duties;
- (b) take any action and make any order which a Selective Service Officer, Divisional Registrar or Board may take or make under these regulations and any action so taken or order so made shall be deemed to have been taken or made by the person thereunto authorized by these regulations;
- (c) empower any Associate or Assistant Director to exercise any or all of the powers, rights or discretions conferred upon him by these regulations and to act in his place either generally or in the performance of any act or exercise of any function under these regulations;
- (d) prescribe anything which under these regulations is to be prescribed;

- (e) prescribe such forms as he considers necessary for the administration of these regulations;
- (f) prescribe the manner in which notices delivered by corporations pursuant to these regulations must be executed;
- (g) do all such things as appear to him to be incidental to or necessary or expedient for the administration of these regulations;
- (h) revoke, cancel or vary any instruction, order, direction or form made or prescribed pursuant to these regulations;
- (i) for the purpose of acquiring general or specific knowledge with reference to any individual or the manpower situation in Canada or any part of Canada, require, by order, that any person or class or group of persons complete and return to him such returns of information as he may specify or report at such place and at such time as he may specify and complete such forms and give such information in such manner as he may specify;
- (j) classify, in such manner as he deems expedient, occupations, industries, firms or establishments according to essentiality in the prosecution of the war;
- (k) make such provision for the medical examination of men liable to report for military training under these regulations as he deems necessary for the proper administration of these regulations;
- (l) by order, exclude any person or group or class of persons from the operation of Part II or qualify any of the provisions of Part II in its application to any person or group or class of persons;
- (m) by order, require any employer or group or class of employers to keep such records as he deems necessary for the administration of these regulations;
- (n) set up a Committee or Committees in any industry or in any work, plant or business composed of such representatives of the employer or employers and employees, or of employers or employees as he may designate for the purpose of advising the Director or the employer or employers or the employees on such matters and in such manner as he may specify;
- (o) by order, when reasonable notice of the proposal to make such order has, in his opinion, been given to all interested parties and all interested parties have, in his opinion, been given an opportunity to be heard, require such action as will, in his opinion, remedy or alleviate any shortage of manpower required for the war effort and, without limiting the generality of the foregoing,
 - (i) he may require any person who employs one or more persons to terminate his employment of any or all of them, whether specifically designated or not, at such time and in such manner as he may specify, or
 - (ii) he may forbid any person or group or class of persons to retain in employment any person or group or class of persons after a specified date without obtaining a permit in prescribed form from a Selective Service Officer;
- (p) authorize any person on his behalf to make representations to any person, body of persons or Commission investigating or attempting to settle a labour dispute and for that purpose to have access to the information and material with reference to such dispute in the possession of the person, body of persons or Commission;
- (q) authorize any person on his behalf to make representations to the National War Labour Board or any regional board established by the

Wartime Wages Control Order with reference to any matter before the Board and for that purpose to have access to the information and material in the possession of the Board with reference to such matter;

- (r) organize and carry out such training projects as in his opinion are necessary to supplement training projects carried on under other authority;
- (s) notwithstanding anything in any other law or regulation publish such notices and explanations as he may deem necessary for the proper administration and enforcement of these regulations; and
- (t) with the agreement of the appropriate Minister of National Defence, administer the recruiting programme for the Naval, Military or Air Forces of Canada.

(2) Where any Associate or Assistant Director purports to exercise any of the Director's powers, rights or discretions, or to act in his place, it shall be presumed that the Director authorized him to do so until the contrary is shown.

611. (1) Where any Government department, person or body of persons has, by virtue of any Act or Order in Council, power to obtain, for any purpose, any information which, in the opinion of the Director, is useful or necessary in administering or enforcing these regulations, the Director may require such Government department, person or body to give such information to him, and such department, person or body shall, if so required by the Director, exercise that power to obtain any such information for him.

(2) Any information obtained by any department, person, or body, whether upon requisition of the Director under subsection one of this section or otherwise, may, notwithstanding anything in any Act or order, be furnished to the Director.

(3) Information obtained pursuant to this section shall be available only to the National Selective Service Department and its officers, clerks and employees in the course of their employment: Provided that the Director may make any such information available to any department of the government in connection with the department's business or to any court in connection with any case involving the enforcement or administration of these regulations.

INVESTIGATIONS

612. (1) The Director may investigate or empower any other person to investigate any matter which, in his opinion, is of importance in the administration of these regulations and in particular and without limiting the generality of the foregoing may investigate or empower any other person to investigate the demand for or the supply of manpower in all or any part of any business, area, industry, profession or calling or any alleged or apparent contravention of these regulations.

(2) In all of this section except subsections one and two thereof, "Director" includes any person whom the Director empowers to conduct an investigation under this section.

(3) All provisions of the Inquiries Act not repugnant to the provisions of this section shall apply to an investigation under this section and the Director shall, for the purposes of this section, have all the powers of a Commissioner appointed under the Inquiries Act except in so far as such powers are inconsistent with this section.

(4) The Director may, at any time, in the course of an investigation under this section, by notice in writing, require any person, and in the case of a corporation any officer of such corporation, to make and render unto the

Director, within a time stated in such notice, or from time to time, a written return under oath or affirmation showing in detail such information as is, by the notice, required, and such person or officer shall make and render unto the Director, precisely as required, a written return under oath or affirmation showing in detail the information required.

(5) The Director, or any person thereunto authorized by him, may, for the purpose of an investigation under this section, enter any premises and examine such premises and any books, papers, records or things in such premises.

(6) Every person who is in possession or control of any business, premises, books, papers, records or things shall give and afford to the Director or any person representing the Director admission or access thereto whenever and as often as demanded for the purpose of an investigation under this section, and if he fails to do so the Director or a person representing him may use such force as he deems reasonably necessary in the circumstances to obtain such admission or access.

(7) The Director may, for the purpose of an investigation under this section, order that any person resident or present in Canada be examined upon oath before, or make production of books, papers, records or things to, the Director or before or to any person named for the purpose by the Director's order, and may make such orders as seem to the Director to be proper for securing the attendance and examination of such witness, and the production by him of books, papers, records or things, and the use of evidence so obtained, and may otherwise exercise, for the enforcement of such orders, or punishment for disobedience thereof, all powers exercised by any Superior court in Canada for the enforcement of subpoenas to witnesses or the punishment of disobedience thereto.

(8) All books, papers, records or things produced before the Director or some person named by him, voluntarily or pursuant to an order under subsection seven of this section may be retained and inspected by the Director and also by such persons as the Director designates as long as he deems necessary and copies thereof may be made by or at the instance of the Director.

(9) A person who has been summoned under this section to give evidence is competent and may be compelled to give evidence as a witness.

(10) A person who is summoned under this section and duly attends as a witness is entitled to an allowance for attendance and travelling expenses according to the scale in force with respect to witnesses in civil suits in the Supreme or Superior courts of the province in which the investigation is being conducted.

(11) The Director may, for the purpose of an investigation under this section, issue commissions to take evidence in another country and may make all proper orders for the purpose and for the return and use of the evidence so obtained.

(12) Orders to witnesses and all other orders, process or proceedings under this section shall be signed by the Director.

(13) Notwithstanding anything in this section, the Director shall not, for the purpose of an investigation under this section, compel the attendance of a witness or the production of a book, paper, record or article, or the examination of a person under oath, or exercise for the enforcement of an order or for the punishment of disobedience of an order, the power exercised by a Supreme or Superior court for the enforcement of subpoenas to witnesses or the punishment of disobedience thereof, unless and until, on the application of the Director, which shall be heard and determined *ex parte*, a Judge of the Supreme or

Exchequer Courts of Canada or of the Supreme or Superior court of a province has certified that it is fit and proper that the action mentioned in the application be taken.

(14) A Judge to whom an application is made under subsection thirteen of this section may, before granting a certificate, require the applicant to produce such further evidence or proof of relevant circumstances as he deems necessary.

(15) The Director may, in any investigation under this section, accept or require evidence orally or upon affidavit or written affirmation or in such other form as to him seems sufficient.

(16) The Director and all persons authorized to administer oaths to be used in the Supreme or Superior courts of a province may administer oaths in such province to be used in an investigation under this section.

(17) All persons authorized to administer oaths within or out of Canada, in or concerning a proceeding had or to be had in the Supreme or Exchequer Courts of Canada, may administer oaths to be used in an investigation under this section.

(18) No person shall be excused from attending and giving evidence and producing books, papers, records or things in obedience to an order of the Director made for the purpose of an investigation under this section on the ground that the oral evidence or documents required of him may tend to criminate or subject him to any proceeding or penalty, but no such oral evidence so required shall be used or receivable against him in any criminal proceeding other than a prosecution for perjury in giving evidence upon such investigation or a proceeding under these regulations; nor shall any such document or thing be used or receivable against him in a criminal proceeding other than a proceeding under these regulations.

(19) Every proceeding or portion of a proceeding before the Director under this section shall be conducted in private unless the Director order that it be conducted in public.

(20) When, in the opinion of the Director, the public interest so requires, the Director may apply to the Minister of Justice to instruct counsel to conduct an investigation under this section before the Director and upon such application the Minister of Justice may instruct counsel accordingly.

(21) No person shall, in the course of an investigation under this section, insult the Director or wilfully interrupt any proceeding before the Director, or refuse to obey any order made by the Director in the course of an investigation; and if a person does any such thing the Director may, without affecting such person's liability for contravening regulations, direct any peace officer to take him into custody and remove him from the precincts and presence of the Director to be detained in custody until the conclusion of the day's sitting.

(22) No person shall, in any manner, impede or prevent or attempt to impede or prevent an investigation, examination or inquiry under this section.

(23) The findings of the Director on an investigation under this section shall be secret unless he instructs that the whole or any part thereof be made public.

Boards

613. (1) The chairman of a Board shall devote such portion of his time as the Director may require to the performance of the duties of the Board.

(2) In addition to performing the duties imposed upon them by these regulations, Divisional Registrars shall perform such services as may be required of them by the Director.

(3) Each Board may appoint a clerk who may be the Divisional Registrar for the Division.

614. (1) Two members of a Board shall constitute a quorum and different parts of the Board may meet and act at different places at the same time.

(2) In the absence of a member of a Board or of a Divisional Registrar, the Director may designate a person to act in his place during his absence.

(3) The decision of a majority of the members of a Board present at a meeting shall be the decision of the Board but if at least two members do not agree on any matter, the matter shall be reconsidered at a subsequent meeting of the Board with at least one other member present.

(4) The chairman of a Board may act on behalf of the Board in any matter which, in his opinion, is not of sufficient importance to warrant the attention of the Board.

(5) The Director may take any action and make any order which a Board may take or make under these regulations and his decision or order shall be deemed to be the decision or order of the Board.

(6) Each Board, may, subject to the approval of the Director, make rules as to its procedure not inconsistent with these regulations.

(7) A Board may make any investigation it deems advisable before making an order under these regulations and for that purpose may require any peace officer to render it such assistance as it deems necessary.

(8) A Board, a member of a Board, a Judge or a Magistrate, may, in connection with proceedings before it or him under Part IV, administer oaths and take evidence on oath or affirmation, and shall have all the powers of a Commissioner appointed under Part I of the Inquiries Act.

(9) Any person who appears before a Board, a member of a Board, a Judge or a Magistrate, under Part IV, shall do so at his own expense.

(10) All hearings under Part IV shall be in camera.

(11) No person may be heard in person unless the Board consents and no person shall be entitled to be represented by counsel, advocate or solicitor at a hearing under Part IV, but an applicant for a postponement order, his dependents, an association of which he is a member and his employer, may support an application for a postponement order by representations in writing delivered to the chairman of the Board or the Judge hearing an appeal, as the case may be, within one week of the filing of the application or the granting of leave to appeal.

(12) The representatives of the Department of National Defence, the National War Labour Board and agriculture may make such representations as they deem fit with reference to an application to a Board or appeal to a Judge.

(13) In granting a postponement order, the Board or Judge shall state the reasons for its or his opinion that such order is in the national interest and shall file its decision with such reasons attached thereto in such office as the Director may designate for the purpose.

(14) A Board shall review a postponement order made by it at least once every twelve months.

Determination of Questions

615. (1) If any question arises as to—

- (a) whether any person is an employee or employer under Part II;
- (b) whether an employer has laid off or has terminated the employment of an employee;
- (c) whether an employee has terminated his employment or obtained a leave of absence to take other employment;
- (d) whether for the purposes of Part II any person is mainly employed in agriculture;
- (e) whether any person is or has been unemployed or gainfully employed;
- (f) whether any person has been gainfully employed during normal full time; or
- (g) whether any provision of Part II is inconsistent with any right or privilege of an employee or employer under a collective agreement;

the question shall be decided by the Selective Service Officer, and if any such question arises in any proceedings under these regulations, the Justice or Justices of the Peace, Police Magistrate, Stipendiary Magistrate, Judge or Court before whom such question is raised shall adjourn such proceedings until such question is finally decided.

(2) A decision by a Selective Service Officer under this section shall be final unless by notice in writing filed in the local office within seven days from the day the decision is made a person aggrieved thereby appeals to the Director or some person designated by him for deciding such appeals, in which event the decision on such appeal shall be final.

(3) Upon the request of any interested person, a Selective Service Officer may make and issue a declaratory ruling on any of the matters referred to in sub-paragraphs (a) to (g) inclusive of subsection one of this section if such ruling is necessary to terminate a controversy or to remove a substantial uncertainty as to the application of these regulations and such ruling shall have the same effect and be subject to the same appeal as in the case of a decision under subsection one of this section, but no such ruling shall bind or affect the rights of persons not parties to or named as the subject of such proceedings.

(4) A certificate in writing of a decision or ruling under this section purporting to be signed by a person who certifies that he has authority to make such decision or ruling shall be evidence of the decision or ruling and of such authority.

General

616. No proceeding before any person appointed or designated under these regulations, and no decision made pursuant to these regulations shall, by means of an injunction, prohibition, mandamus, certiorari, habeas corpus, or other process issuing out of Court, be enjoined, restrained, stayed, removed or subjected to review or consideration on any ground whether arising out of alleged absence of jurisdiction, nullity, defect or irregularity of the proceedings, or any other cause whatsoever, nor shall any such proceeding or decision be questioned, reviewed, or reconsidered in any court.

617. No person shall be responsible at law for anything done by him in good faith in the performance of his duties under these regulations and no action shall be taken against any person in respect of the performance or non-performance of his duties under these regulations.

618. (1) If, while a man is liable to report for military training, any change occurs in his address or in his matrimonial status, he shall forthwith notify

such change to the Divisional Registrar of the Division in which he resided immediately before such change occurred; and the Divisional Registrar to whom a notice of the change of address of any man is given shall transfer his copy of the man's registration card and other records of the man to the Divisional Registrar of the Division to which the man has removed.

(2) Every man who has been designated shall keep the Divisional Registrar advised at all times of the address where mail will reach him.

619. Every person to whom any order is issued or who is required to do or abstain from doing anything by or pursuant to these regulations shall obey such order precisely or do or abstain from doing such things precisely as required.

620. Notwithstanding anything in any other law, every person shall, either forthwith or within such time as the person asking or submitting the question allows, fully and truthfully answer every question which may be asked of or submitted to him, orally or in writing, by the Director, an Associate or Assistant Director, a Selective Service Officer, Divisional Registrar or peace officer as to the age, occupation, responsibilities, duties, abode, address or domestic status of any man, or as to any other fact whatsoever which may, in the opinion of the person asking or submitting the question, be of use in administering these regulations.

621. The Director shall, within seven days from the end of each month, make a report to the Manpower Committee of Cabinet with reference to the administration of these regulations during such month and the progress which has been made and the difficulties which have arisen in connection therewith and he may in such report make recommendations with reference to the manpower policy of the government.

622. (1) Throughout each day the Director so requires, every Postmaster, Sheriff, Clerk of the Peace and clerk or other officer of a Municipality shall cause to be kept posted in prominent places in his office and such other public buildings throughout his district, sheriffdom or municipality as the Director may specify, and in such manner as the Director may require, copies of any proclamation and of any order, notice or announcement under these regulations.

(2) No person shall wilfully destroy, take down, tear or deface any copy of a proclamation, order, notice or announcement posted under these regulations in any office or public place.

623. No person shall make any false statement or representation for the purpose of obtaining any permit or postponement order under these regulations or of misleading any person engaged in the administration or enforcement of these regulations.

624. (1) No person shall by means of a written or printed communication, publication or article, or by an oral communication or by public speech or utterance:

- (a) counsel or advise any other person not to comply with any of the provisions of these regulations or of a notice or order given or made pursuant thereto; or
- (b) wilfully resist or impede, or attempt wilfully to resist or impede, or persuade or induce or attempt to persuade or induce any person or group or class of persons to resist or impede the operation or enforcement of these regulations.

(2) No person shall in any manner impede or prevent or attempt to impede or prevent any other person in the performance of his duties under these regulations.

625. (1) No person shall, prior to or during a period in which he is required by these regulations to remain in any employment, to report for training or to carry out alternative service, duty or work,

(a) malingering, or

(b) with intent thereby to render himself unfit for such employment, training, service, duty or work,

(i) wilfully produce in himself any disease or infirmity or aggravate or protract any disease or infirmity which he may have, or

(ii) wilfully maim or injure himself or cause himself to be maimed or injured by any other person.

(2) No person shall wilfully maim or injure any other person, whether at the instance of such other person or not, prior to or during a period in which such other person is required by these regulations to remain in any employment, to report for training or to carry out alternative service, duty or work, with intent thereby to render such other person temporarily or permanently unfit for such employment, training, service, duty or work.

626. No person shall, by impersonating a man who is required by these regulations to remain in any employment, to submit himself for medical examination, or to report for training, or for alternative service, duty or work, submit himself for medical examination in such man's place or report in his place for such employment, training, service, duty or work.

627. No person shall, with intent to evade any provision in these regulations, destroy, mutilate, deface, alter, secrete or remove any book, record, or property of any kind.

628. (1) All letters, notices or other mailable matter addressed to persons in Canada in the administration of these regulations shall, subject to such regulations as the Postmaster General may make, be free of Canadian postage.

(2) Any registered letter or any other communication mailed pursuant to these regulations shall be returned by the Post Office to the sender indicated on the cover, if undelivered within the time and to the address indicated on the cover.

PART VII

Enforcement

700. (1) Every Selective Service Officer, and every person authorized by the Director to act as a Selective Service Inspector, may for the purpose of enforcing these regulations

- (a) enter at all reasonable times any premises or place, other than a private dwelling house not being a work-shop, where he has reasonable grounds for supposing that any person is employed;
- (b) make such examination or inquiry as may seem to him to be necessary for ascertaining whether these regulations are being complied with;
- (c) examine orally, either alone or in the presence of any other person as he thinks fit, with respect to any matter arising under these regulations, every person whom he finds in any such premises or place or whom he has reasonable cause to believe to be or to have been in employment and may require every person so examined to sign a declaration of the truth of his statements on such examination; and
- (d) exercise such other powers as, in the opinion of the Director, are necessary for enforcing these regulations.

(2) The occupier of any premises or place, other than a private dwelling house not being a workshop, any person having other persons in his employment, the servants and agents of any such occupier or person, and any employed person shall furnish to any Selective Service Officer or Inspector all such information, and he shall produce for inspection all such books, documents, papers and records, as the Selective Service Officer or Inspector may reasonably require.

(3) Every Selective Service Officer and Selective Service Inspector shall, on applying for admission to any premises or place under this section, have in his possession and produce if so required a certificate of his appointment signed by or on behalf of the Director.

701. For the purposes of these regulations and of any proceedings taken thereunder, any notice or other communication sent through His Majesty's mails pursuant to these regulations shall be presumed, until the contrary is proven, to have been received by the addressee within eight clear days of the posting thereof and a certificate of such posting purporting to be signed by a Selective Service Officer or Divisional Registrar shall be *prima facie* proof thereof.

702. (1) A certificate purporting to be signed by the Director or by any person authorized to act in the Director's place or on his behalf that anything has been done or omitted pursuant to or contrary to these regulations shall be evidence that such thing has been done or omitted.

(2) A certificate purporting to be signed by the Director, an Associate Director, an Assistant Director, a Selective Service Officer or a Divisional Registrar that he has, pursuant to these regulations, served any document or caused any document to be served shall be evidence of the statements contained therein.

(3) A certificate purporting to be signed by the Director or any person authorized to act in the Director's place or on his behalf that a document is a true copy of any other document which is or has been in the possession of the National Selective Service Department shall be evidence of the statements contained therein and the copy shall be accorded in all courts, the same probative force as the original document or part thereof, of which it is a copy.

703. In any proceeding for an alleged contravention of any of the provisions of these regulations, the burden of proving that the duty imposed by such provision was not imposed on him and of proving that he has complied with all the requirements of these regulations shall be upon the person charged with such contravention.

704. (1) Every person is a party to and guilty of an offence under these regulations who

- (a) actually commits it;
- (b) does or omits an act for the purpose of aiding any person to commit the offence;
- (c) abets any person in commission of the offence; or
- (d) counsels or procures any person to commit the offence.

(2) If several persons form a common intention to contravene any of the provisions of these regulations and to assist each other therein, each of them is a party to every offence under these regulations committed by any one of them in the prosecution of such common purpose, the commission of which offence was, or ought to have been known to be a probable consequence of the prosecution of such common purpose.

(3) Every one who counsels or procures another person to be a party to an offence under these regulations of which that person is afterwards guilty, is a party to that offence, although it may be committed in a way different from that which was counselled or suggested.

(4) Every one who counsels or procures another to be a party to an offence under these regulations is a party to every offence which that other commits in consequence of such counselling or procuring, and which the person counselling or procuring knew, or ought to have known, to be likely to be committed in consequence of such counselling or procuring.

(5) If a corporation is guilty of an offence under these regulations, any officer or director of the corporation who assented to or acquiesced in the commission of the offence is a party to and guilty of the offence.

705. Every peace officer, who, on reasonable and probable grounds, believes that an offence under any of the provisions of these regulations has been committed, whether it has been committed or not, and who, on reasonable and probable grounds, believes that any person has committed such offence, is justified in arresting such person whether such person is guilty or not.

706. (1) In any prosecution under Part XV of the Criminal Code for a contravention of these regulations or of any regulations repealed by these regulations, the complaint shall be made, or the information laid, within three years from the time when the matter of the complaint or information arose.

(2) Notwithstanding the provisions of Part XV of the Criminal Code, a complaint or information in respect of any contravention of these regulations may be heard, tried or determined by any Police or Stipendiary Magistrate or any Justice or Justices of the Peace if the accused is found or apprehended or is in the custody within his or their territorial jurisdiction although the matter of the information or complaint did not arise within his or their territorial jurisdiction.

707. Every person who contravenes any of the provisions of these regulations is guilty of an offence, and liable, on summary conviction, if an individual to a penalty of not more than five hundred dollars or to imprisonment for a term not exceeding twelve months or to both such fine and such imprisonment.

and if a corporation to a penalty of not more than two thousand five hundred dollars, unless some penalty is expressly provided by these regulations for such contravention.

708. (1) If a man fails to submit himself for medical examination within the time limited by and in accordance with the terms of a "Notice—Medical Examination" given to him by the Divisional Registrar under these regulations, he is guilty of an offence and liable, upon indictment or summary conviction, for a first offence to imprisonment for a term not exceeding twelve months or to a fine of not less than fifty dollars and not exceeding five hundred dollars or to both such imprisonment and such fine and for any subsequent offence to imprisonment for a term not exceeding two years or to a fine of not less than one hundred dollars and not exceeding one thousand dollars or to both such imprisonment and such fine.

(2) Where a man is convicted of an offence under subsection one of this section, the Justice or Justices of the Peace, Police Magistrate, Stipendiary Magistrate, Judge or Court before whom he is so convicted shall, if counsel or other person acting for the Crown so requests, in addition to imposing the punishment therein provided, direct that, upon the expiration of his term of imprisonment, if any, such man be taken in police custody to an examining physician and held in such custody while the examining physician medically examines him; and in any such case where a fine is imposed, the fine or any part thereof on the request of the Director may, subject to the relevant service regulations, be collected by stoppage of all or part of the pay and allowances granted to or in respect of such man as a member of the military, naval or air forces of Canada.

709. (1) If a man fails to report within the time limited by and in accordance with the terms of a "Notice—Military Training" given to him by the Divisional Registrar under these regulations, he is guilty of an offence and liable, upon indictment or summary conviction, for a first offence to imprisonment for a term not exceeding twelve months or to a fine of not less than fifty dollars and not exceeding five hundred dollars or to both such imprisonment and such fine and for any subsequent offence to imprisonment for a term not exceeding two years or to a fine of not less than one hundred dollars and not exceeding one thousand dollars or to both such imprisonment and such fine.

(2) Where a man is convicted of an offence under subsection one of this section, the Justice or Justices of the Peace, Police Magistrate, Stipendiary Magistrate, Judge or Court before whom he is so convicted shall, if counsel or other person acting for the Crown so requests, in addition to imposing the punishment therein provided, direct that, upon the expiration of his term of imprisonment, if any, such man shall be taken in police custody to such place as the Director indicates, and that he shall be held there in such custody until he becomes a member of the Active Militia pursuant to the Reserve Army (Special) Regulations, 1941; and in any such case where a fine is imposed, the fine or any part thereof on the request of the Director may, subject to the relevant service regulations, be collected by stoppage of all or part of the pay and allowances granted to or in respect of such man as a member of the military, naval or air forces of Canada.

710. (1) A man required to report pursuant to section four hundred and thirteen

- (a) who fails to report precisely as required by an order sent to him pursuant to section four hundred and thirteen, or
- (b) who, without lawful authority, leaves a place where he is required to be pursuant to section four hundred and thirteen, or

- (c) who fails to comply with any rule made pursuant to subsection eight of section four hundred and thirteen, or
- (d) who, upon being transferred from one place to another place, fails to obey any order given by a person lawfully in charge of him, or
- (e) who fails to obey an order lawfully given pursuant to subsection seven of section four hundred and thirteen,

is guilty of an offence and liable, upon indictment or summary conviction, for a first offence to imprisonment for a term not exceeding twelve months or to a fine of not less than fifty dollars and not exceeding five hundred dollars, or to both such imprisonment and such fine and for any subsequent offence to imprisonment for a term not exceeding two years or to a fine of not less than one hundred dollars and not exceeding one thousand dollars or to both such imprisonment and such fine.

(2) Where a man is convicted of an offence under subsection one of this section, the Justice or Justices of the Peace, Police Magistrate, Stipendiary Magistrate, Judge or Court before whom he is so convicted shall, if counsel or other person acting for the Crown so requests, in addition to imposing the punishment therein provided for, direct that, upon the expiration of his term of imprisonment, if any, such man shall be taken in police custody to a place specified by the counsel or other person acting for the Crown and delivered to the person in charge thereof.

711. Every person is guilty of an indictable offence and liable to a fine not exceeding five thousand dollars and not less than five hundred dollars or to imprisonment for a term not exceeding five years and not less than six months or to both such fine and such imprisonment, who corruptly

- (a) makes any offer, proposal, gift, loan or promise or gives or offers any compensation or consideration, directly or indirectly, to a person concerned in the administration or enforcement of these regulations or having any duties to perform thereunder, for the purpose of influencing such person in the performance of his duties; or
- (b) being a person concerned in the administration or enforcement of these regulations or having any duties to perform thereunder, accepts or agrees to accept or allows to be accepted by any person under his control or for his benefit any such offer, proposal, gift, loan, promise, compensation or consideration.

712. Any examining or other physician who, in furnishing information under these regulations, knowingly makes any inaccurate statement or signs an inaccurate statement or signs an inaccurate certificate is guilty of an offence and liable on summary conviction to imprisonment for a term of not less than one month and not exceeding twelve months or to a fine of not less than fifty dollars and not exceeding six hundred dollars or to both such imprisonment and such fine.

713. A person, and in the case of a corporation, any officer of the corporation, who fails

- (a) to obey or comply with any order or notice in writing whereby he is, pursuant to these regulations, required to make and render within the time stated in the order or notice, or from time to time, any written return under oath or affirmation showing in detail such information with respect to the business of the person named in the notice as is by the order or notice lawfully required, or to show in the return the information so required in detail, precisely as by the notice required, in so far as the information or details are within the knowledge or possession of, or available to, the person or officer so notified; or

- (b) to include in any such return, if thereunto required by the order or notice, and if the person or officer notified has knowledge or means of ascertaining the facts, a full disclosure of all information which he has with reference to the matter referred to in the notice,

is guilty of an offence and liable, upon summary conviction, in the case of an individual, to a penalty not exceeding one thousand dollars or to imprisonment for a term not exceeding two years, or to both such fine and such imprisonment and in the case of a corporation to a penalty not exceeding five thousand dollars.

PART VIII

Miscellaneous

800. (1) All persons appointed by or pursuant to The National War Services Regulations, 1940 (Recruits), Order in Council P.C. 2254 dated the twenty-first day of March, nineteen hundred and forty-two, Order in Council P.C. 2301 dated the twenty-third day of March, nineteen hundred and forty-two and Order in Council P.C. 9466 dated the sixteenth day of October, nineteen hundred and forty-two, except members of the National War Services Boards, shall be deemed to have been appointed pursuant to these regulations and the control and supervision of all such persons in the service of His Majesty is transferred to the Director.

(2) Until the first day of January, nineteen hundred and forty-three, members of the National War Services Board for each Division shall be members of the Draft Board for such Division under these regulations and the chairman of the National War Services Board for each Division shall be the chairman of the Draft Board for such Division under these regulations.

(3) The control of all office accommodation, files, records, stationery, equipment and telephones used in the administration and enforcement of The National War Services Regulations, 1940 (Recruits) and the National Selective Service Regulations, 1942 is transferred to the Director to be used in the administration of these regulations.

801. (1) The administration of Part III of The Unemployment Insurance Act, 1940, is transferred to the Minister and all rights, duties, powers and functions of the Unemployment Insurance Commission with reference to the administration of the said Part III are transferred to the Minister.

(2) The control and supervision of all persons in the head office and regional offices of the Unemployment Insurance Commission whose duties are, in the opinion of the Minister, mainly connected with the administration of Part III of The Unemployment Insurance Act, 1940, or the administration and enforcement of The National Selective Service Regulations, 1942, and the control and supervision of all persons employed in the local offices of the Unemployment Insurance Commission are transferred to the Director.

(3) The control of such part of the office accommodation, stationery, equipment, telephones, files and records used in the head office and regional offices of the Unemployment Insurance Commission as the Minister may designate and of all office accommodation, stationery, equipment, telephones, files and records used in connection with the local offices of the Unemployment Insurance Commission, is transferred to the Director.

(4) The Director shall carry out all instructions from the Unemployment Insurance Commission necessary for the proper local administration of Part II of The Unemployment Insurance Act, 1940.

(5) This section shall have effect for a period which shall end on a day fixed by proclamation under section two of the War Measures Act to the effect that the war no longer exists or on such earlier day as may be fixed by Order in Council.

802. The personnel and records which were transferred to the Department of Labour by Order in Council P.C. 2254 of the twenty-first day of March, nineteen hundred and forty-two, shall be part of the Selective Service Branch and subject to the control and supervision of the Director.

803. If the Engineering Institute of Canada, the Canadian Institute of Mining and Metallurgy, the Canadian Institute of Chemistry and the Technical Service Council consent, the Director may utilize The Wartime Bureau of Technical Personnel, which is operated pursuant to Order in Council P.C. 780 dated the twelfth day of February, nineteen hundred and forty-one, for the administration of Part III and may for that purpose appoint the Director of the said Bureau as an Assistant Director of Selective Service under these regulations; and in such event the said Bureau shall, without affecting the said Order in Council, be subject to the control and supervision of the Director.

804. The Essential Work (Scientific and Technical Personnel) Regulations, 1942, The Selective Service Regulations, 1942, The National War Services Regulations, 1940 (Recruits), Order in Council P.C. 1445 dated the second day of March, nineteen hundred and forty-two, Order in Council P.C. 2254 dated the twenty-first day of March, nineteen hundred and forty-two, and Order in Council P.C. 7994 dated the fourth day of September, nineteen hundred and forty-two, are revoked.

805. All proceedings taken under any Order in Council or regulation revoked by these regulations shall, so far as consistently may be, be taken up and continued under and in conformity with the provision of these regulations, if any, substituted for the regulation or Order in Council so repealed.

806. These regulations shall come into force on the first day of December, nineteen hundred and forty-two.

SCHEDULE "A"

1. A person who is normally engaged in the engineering profession in a consulting, technical or supervisory capacity in design, construction, manufacture, operation or maintenance and who has had a regular professional training in practice and in theory as an engineer in any of the following branches of engineering: civil, mechanical, electrical, chemical, metallurgical and mining.

2. A production, industrial or other engineer or chemist who normally holds in an engineering works or manufacturing establishment a position of authority involving responsibility for any phase of executive management or control of any technical function.

3. A person who has obtained a degree at any Canadian or other recognized university and who is normally engaged as a teacher of engineering science or of any branch of science at a university or technical college.

4. A person who has been trained, or who is or has been normally engaged, in the practice of any branch of the science of chemistry but not including a registered pharmacist.

5. A research scientist, that is, a person who, by training or practice, is skilled in the independent search for new knowledge of the properties of matter or energy.

6. A person, other than a teacher, who has obtained a degree at any Canadian or other recognized university in Engineering, Chemistry, Physics, Geology, Mathematics, Architecture or in any natural science, or who is a technically qualified member of the Engineering Institute of Canada, the Canadian Institute of Chemistry, the Canadian Institute of Mining and Metallurgy, the Royal Architectural Institute of Canada or of any provincial association of professional Engineers, Chemists or Architects.

7. A person, or a group or class of persons, not in the classes described above, possessing, in the opinion of the Director, technical qualifications and skill which are needed in essential work.

SCHEDULE "B"

CANADA
 PROVINCE OF
 To Wit:

I, _____ of the _____ of _____,
 in the province of _____, do solemnly declare that:

1. I am a national of _____ and I am not
name of country
 a British subject.

2. That pursuant to the provisions of section four hundred and one of
 The Manpower Regulations, 1942, I hereby claim exemption from liability to
 report for military service under the said regulations.

3. That I make this declaration with full knowledge and understanding
 that I am thereby deprived forever of all rights and privileges to be naturalized
 in Canada as a British subject and that I thereby become liable to deportation
 from Canada whenever such deportation may be practicable.

And I make this solemn declaration conscientiously believing it to be true,
 and knowing that it is of the same force and effect as if made under oath,
 and by virtue of the Canada Evidence Act.

DECLARED before me at
 this _____ day
 of _____

A Commissioner, etc.

SCHEDULE "C"

DIVISION "A", Headquarters—London, Ontario.

This Division comprises the electoral districts of Bruce (94), Elgin (99), Essex East (100), Essex South (101), Essex West (102), Huron North (115), Huron-Perth (116), Kent (118), Lambton-Kent (120), Lambton West (121), London (125), Middlesex East (126), Middlesex West (127), Oxford (135), Perth (138), Waterloo North (151), Waterloo South (152), Wellington North (154), and Wellington South (155).

DIVISION "B", Headquarters—Toronto, Ontario.

This Division comprises the electoral districts of Algoma East (90), Algoma West (91), Brant (92), Brantford City (93), Cochrane (96), Dufferin-Simcoe (97), Grey-Bruce (107), Grey North (108), Haldimand (109), Halton (110), Hamilton East (111), Hamilton West (112), Lincoln (124), Muskoka-Ontario (128), Nipissing (129), Norfolk (130), Ontario (132), Parry Sound (136), Peel (137), Simcoe East (146), Simcoe North (147), Timiskaming (149), Welland (153), Wentworth (156), York East (157), York North (158), York South (159), York West (160), Broadview (161), Danforth (162), Davenport (163), Eglinton (164), Greenwood (165), High Park (166), Parkdale (167), Rosedale (168), St. Paul's (169), Spadina (170), and Trinity (171).

DIVISION "C", Headquarters—Kingston, Ontario.

This Division comprises the electoral districts of Carleton (95), Durham (98), Frontenac-Addington (104), Glengarry (105), Grenville-Dundas (106), Hastings-Peterborough (113), Hastings South (114), Kingston City (119), Lanark (122), Leeds (123), Northumberland, Ont. (131), Ottawa East (133), Ottawa West (134), Peterborough West (139), Prescott (141), Prince Edward-Lennox (142), Renfrew North (143), Renfrew South (144), Russell (145), Stormont (148), and Victoria, Ont. (150).

DIVISION "D", Headquarters—Port Arthur, Ontario.

This Division comprises the electoral districts of Fort William (103), Kenora-Rainy River (117), and Port Arthur (140).

DIVISION "E", Headquarters—Montreal, Quebec.

This Division comprises the electoral districts of Argenteuil (25), Beauharnois-Laprairie (27), Berthier-Maskinonge (29), Brome-Missisquoi (31), Chambly-Rouville (32), Champlain (33), Chapeau (34), Chateauguy-Huntingdon (36), Drummond-Arthabaska (40), Hull (42), Joliette-L'Assomption-Montcalm (43), Labelle (45), Laval-Deux-Montagnes (47), Nicolet-Yamaska (53), Pontiac (54), Richelieu-Vercheres (60), Saint-Hyacinthe-Bagot (63), Saint-Jean-Iberville-Napierville (64), Saint-Maurice-Lafleche (65), Shefford (66), Sherbrooke (76), Stanstead (68), Terrebonne (70), Trois-Rivieres (71), Vaudreuil-Soulanges (72), Wright (73), Cartier (74), Hochelaga (75), Jacques-Cartier (76), Laurier (77), Maisonneuve-Rosemont (78), Mercier (79), Mont-Royal (80), Outremont (81), Sainte-Anne (82), Saint-Antoine-Westmount (83), Saint-Denis (84), Saint-Henri (85), Saint-Jacques (86), Saint-Laurent-Saint-Georges (87), Sainte-Marie (88), Verdun (89).

DIVISION "F", Headquarters—Quebec, Quebec.

This Division comprises the electoral districts of Beauce (26), Bellechasse (28), Bonaventure (30), Charlevoix-Saguenay (35), Chicoutimi (37), Compton (38), Dorchester (39), Gaspé (41), Kamouraska (44), Lake St. John-Roberval (46), Lévis (48), Lotbinière (49), Matapédia-Matane (50), Mégantic-Frontenac (51), Montmagny-L'Islet (52), Portneuf (55), Québec East (56), Québec South (57), Québec West and South (58), Québec-Montmorency (59), Richmond-Wolfe (61), Rimouski (62), Temiscouata (69).

DIVISION "G"—Headquarters—Halifax, N.S.

This Division comprises the electoral districts of Antigonish-Guysborough (1), Cape Breton-North Victoria (2), Cape Breton South (3), Colchester-Hants (4), Cumberland (5), Digby-Annapolis-Kings (6), Halifax (7), Inverness-Richmond (8), Pictou (9), Queens-Lunenburg (10), Shelburne-Yarmouth-Clare (11).

DIVISION "H"—Headquarters—Saint John, N.B.

This Division comprises the electoral districts of Charlotte (12), Gloucester (13), Kent, N.B. (14), Northumberland, N.B. (15), Restigouche-Madawaska (16), Royal (17), St. John-Albert (18), Victoria-Carleton (19), Westmorland (20), York-Sunbury (21).

DIVISION "I"—Headquarters—Charlottetown, P.E.I.

This Division comprises the electoral districts of Kings (22), Prince (23), Queens (24).

DIVISION "J"—Headquarters—Winnipeg, Man.

This Division comprises the electoral districts of Brandon (172), Churchill (173), Dauphin (174), Lisgar (175), Macdonald (176), Marquette (177), Neepawa (178), Portage la Prairie (179), Provencher (180), St. Boniface (181), Selkirk (182), Souris (183), Springfield (184), Winnipeg North (185), Winnipeg North Centre (186), Winnipeg South (187), Winnipeg South Centre (188), and The District of Keewatin.

DIVISION "K"—Headquarters—Vancouver, B.C.

This Division comprises the electoral districts of Cariboo (228), Comox-Alberni (229), Fraser Valley (230), Kamloops (231), Kootenay East (232), Kootenay West (233), Nanaimo (234), New Westminster (235), Skeena (236), Vancouver-Burrard (237), Vancouver Centre (238), Vancouver East (239), Vancouver North (240), Vancouver South (241), Victoria, B.C. (242), Yale, B.C. (243), and Yukon Territory (227).

DIVISION "M"—Headquarters—Regina, Sask.

This Division comprises the electoral districts of Assiniboia (189), Humboldt (190), Kindersley (191), Lake Centre (192), Mackenzie (193), Maple Creek (194), Melfort (195), Melville (196), Moose Jaw (197), North Battleford (198), Prince Albert (199), Qu'Appelle (200), Regina City (201), Rose-town-Biggar (202), Rosthern (203), Saskatoon City (204), Swift Current (205), The Battlefords (206), Weyburn (207), Wood Mountain (208), Yorkton (209),

DIVISION "N"—Headquarters—Edmonton, Alberta.

This Division comprises the electoral districts of Acadia (210), Athabaska (211), Battle River (212), Bow River (213), Calgary East (214), Calgary West (215), Camrose (216), Edmonton East (217), Edmonton West (218), Jasper-Edson (219), Lethbridge (220), Macleod (221), Medicine Hat (222), Peace River (223), Red Deer (224), Vegreville (225), Wetaskiwin (226), and the District of MacKenzie.

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